

DECLARATION OF [REDACTED]

I, [REDACTED] make the following declaration based on my personal knowledge and declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

My name is [REDACTED] I am over the age of 18 and am competent to testify regarding the matters described below.

1. I am a citizen of Guatemala. I am currently living in hiding in Guatemala.
2. In March of 2024, I first left my home country and travelled to the United States to escape persecution and torture. At the border I presented myself so I could apply for asylum. I was arrested and held for about a week. The immigration officers told me that I could not have an interview with an asylum officer, an instead they deported me to Guatemala.
3. I was threatened again in Guatemala so I decided the only option was to try to return again and see if they would let me apply for asylum. I crossed into Mexico on my way back to the U.S. in April of 2024. Shortly after arriving in Iztapalapa, Mexico, I was raped. A group of men then locked me in a room for several days. I was only released after my sister sent the men money so they would release me.
4. I then continued on to the United States, arriving in May of 2024. I told the immigration officers I was afraid of returning to Guatemala and I wanted to apply for asylum. I explained why I was afraid to go back to my country and they referred me for an interview with an asylum officer. The asylum officer interviewed me and determined that I had a reasonable fear. I was then transferred to present my case in front of the immigration judge. I remained in immigration detention during this time.
5. I had my first hearing in June of 2024. When the immigration judge told me I was ineligible for asylum because I had a prior expedited removal order from the first I came, I asked if I could be deported to a country other than Mexico or Guatemala. He told me Guatemala was designated as the country of removal, but also told me that they cannot send me back to Mexico, because I am from Guatemala.
6. At the final hearing on February 19, 2025, I explained to the judge what had happened to me in Guatemala and why I had to flee. I also explained how I had been targeted in Mexico because I was gay, and how I had been raped, and how the men kept me locked up until my sister sent them money.
7. At the immigration hearing the government attorney asked the judge whether Mexico was a country for removal, but the judge said that it was not e. The judge then found that it was likely that I would be persecuted if I were sent back to Guatemala and granted me

protection called withholding. I was so relieved that I was finally going to be able to stay somewhere safe. The judge asked the prosecutor if he wanted to appeal, but after leaving the room for several minutes, the attorney returned and said they were not going to appeal.

8. However, they kept me locked up at the detention center in Arizona for another couple of days. About two days later an immigration officer told me to grab my stuff because I was leaving. I asked where they were taking me but he did not answer. He gave me a document to sign to get my belongings back.
9. After I was taken out of the prison the immigration officer told me that I was being deported to Mexico. I was so scared and surprised. I told him that I had won my case and showed him the order the judge gave me. But the immigration officer said the order had expired. I begged him to let me call my attorney but he said it was too late to call anyone now.
10. I was put on a bus with about 20 other men, and they drove us to Nogales, Mexico. In Nogales, Mexico, they made us get on a second bus, where they drove us Tabasco, Mexico. Once we got there they held us in another facility. They told me I could apply for asylum in Mexico, but I would be kept locked up for the months it took to make a decision or I could just accept for them to take me back to Guatemala. After what had happened to me in Mexico I was too afraid to ask for asylum there. I had no safe options so I just told them to send me back to Guatemala so I would not be kept locked up.
11. As a named plaintiff in this case, I understand that if the Court grants the motion for class certification, I would represent a large number of people with final removal orders who have been deported, or who are threatened with being deported, to a country or countries where they have not been provided notice and/or an opportunity to apply for protection relating to a fear of persecution or torture related to that country.
12. I understand that, as a class representative, I represent the interests of all class members in this lawsuit and that it is my responsibility to represent the interests of the whole class and not just my own personal interests.
13. I understand that my duty to be a class representative continues until the Court decides this case is no longer a class action, or the case is over.
14. I understand and accept that any resolution of the lawsuit, for example by settlement and dismissal, is subject to Court approval and must be in the best interests of the class as a whole.
15. I understand that, by agreeing to become a class representative, I have a duty to take steps to help move the case forward, which I will do with my attorneys. I know that I must attend court if necessary; provide information to my attorneys that they feel is necessary for the case; give them documents I have if it is required; testify at a deposition or trial if

16. I understand that I am volunteering to represent many other persons with similar claims. I believe it is important that people in my situation receive advanced notice and a fair opportunity to apply for protection before they are deported to a third country.

Executed in Guatemala on March 14, 2025.

By:

Dated this 19 day of March 2025.

Matt Adams